

AMENDED **ASSIGNED**

Serial No. **49423**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office **OCT 02 1985**

Returned to applicant for correction **OCT 23 1985**

Corrected application filed **DEC 18 1985** Map filed **DEC 20 1985** under 49422

The applicant **Unincorporated Town of West Wendover, Nevada**

Room **106 Court House** of **Elko**
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make^s application for permission to change the
State and Zip Code No. point of diversion

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under **Application No. 47615**
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
Identify right in Decree.)

1. The source of water is **Test Well #9**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **2.0 cfs (1,445.0 ac.ft./a)**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Municipal**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Municipal**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 13, T 35 N, R 67 E,**
Describe as being within a 40-acre subdivision of public survey and by course and
MDM, at a point from which the NE corner of said Section 13 bears N 55°06' E
distance to a section corner. If on unsurveyed land, it should be stated.
1334 feet

6. The existing permitted point of diversion is located within **Lot 15 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 6, T 35 N,**
If point of diversion is not changed, do not answer.
R 67 E, MDM, at a point from which the E $\frac{1}{4}$ corner of said Section 6 bears S
15°43' E 1,022 feet

7. Proposed place of use **Same as existing**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **Sections 7, 8, 9, 10, 15, 16, 17 & 18, T 33 N, R 70 E, MDM**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
and Sections 17, 18, 19 and 20, T 1 S, R 19 W, SLB&M
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) **drilled and cased well equipped with proper**
State manner in which water is to be diverted, i.e. diversion structure, ditches,
seals, motor, pump, pipelines and distribution system
pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$100,000.00**

13. Estimated time required to construct works **2 years**

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please send copies of all correspondence and notices to undersigned agent.

s/ Michael Buschelman

By Agent

421 Court

Elko, Nevada 89801

Compared dn/se cl/cmg

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 47615 is issued subject to the terms and conditions imposed in said Permit 47615 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 29433, 39110, 47617, 49060, 49422, 49423 and 49595 shall not exceed 4,335.0 acre-feet annually.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed 1,445.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before August 23, 1998

Proof of completion of work shall be filed before September 23, 1998

Application of water to beneficial use shall be made on or before August 23, 2005

Proof of the application of water to beneficial use shall be filed on or before September 23, 2005

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 23rd day of April

Certificate No. 96 A.D. 19 2005

Issued R. Michael Turnipseed, P.E.

State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued in accordance with State Engineers Ruling #3573 dated January 26, 1989.

If this permit is cancelled or withdrawn, the right under this permit shall revert back to the ground water source and not the base right.

A quarterly report shall be submitted to the State Engineer within 15 days after the end of each calendar quarter. This report shall be done in accordance with the method specified in the monitoring plan approved by the State Engineer on April 1, 1996.

